

E3 --29. (new) The method as claimed in claim 28, wherein the first focusing point positioned so as to coincide with said upper surface.

--30. (new) The method as claimed in claim 22, wherein the thickness of the workpiece to be cut is between 1.5 mm and 5 mm.--

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action rejects claims 1, 2, 6-9, 11, and 15 under 35 USC §103(a) as being unpatentable over NIELSEN 6,175,096 in view of NAGATA et al. 6,313,432. The Official Action also rejects claim 9 as being unpatentable over the same references, and further in view of MCNEILL 4,781,907. The Official Action notes, however, that claims 3, 5, 12, and 14 are allowable but for their dependence from rejected base claims.

Accordingly, applicants have amended independent claim 1 to incorporate features of allowable claim 3. Based on such amendment, applicants have canceled claim 3 and amended claim 12 to depend directly from amended independent claim 1.

Applicants have also added new claims 22-30. New independent claim 22 recites the features of claim 1 and allowable claim 5. Each of claims 23-30 ultimately depends from claim 22 and corresponds to one of the claims depending from

claim 1.

Reconsideration and withdrawal of both obviousness rejections are respectfully requested in light of applicants' amendments to have the remaining independent claims in the application correspond to allowable claims, with all other claims in the application ultimately depending from one of such allowable claims.

In light of the amendments described above, the arguments offered in support thereof, and the Examiner's statement of allowability with respect to claims 3, 5, 12, and 14, applicants believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

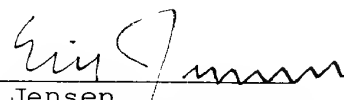
If the Examiner has any questions or requires further clarification of any of the above points, the Examiner may contact the undersigned attorney so that this application may continue to be expeditiously advanced.

BERTEZ et al. S.N. 09/755,053

Attached hereto is a marked-up version showing the changes made to the claims. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

YOUNG & THOMPSON

By   
Eric Jensen  
Attorney for Applicants  
Registration No. 37,855  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone: 703/521-2297

December 19, 2002

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

IN THE CLAIMS:

Claim 1 has been amended as follows:

--1. (twice amended) A method of cutting the workpiece made of stainless steel, coated steel, aluminum or aluminum alloy, comprising the steps of:

providing at least one transparent or reflecting optical means for focusing at least one laser beam, comprising a nozzle;

providing at least one assist gas to the nozzle under pressure; and

cutting the workpiece with the laser beam;

wherein the optical means is of the multifocus type, the assist gas is an oxygen/nitrogen mixture containing at least 90% nitrogen, and no gas other than the assist gas is supplied to the nozzle.--

Claim 12 has been amended as follows:

--12. (amended) The method of claim [3] 1, wherein the assist gas is an oxygen/nitrogen mixture containing from 92 to 98% nitrogen.--